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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

Petitioner,

Mohammed Yasine

v.

ALBERTO GONZALEZ, ATTORNEY
GENERAL OF THE UNITED STATES
AND
CHARLES De Moore,
Acting District Director,
San Francisco Office, U.S.
BUREAU OF CITIZENSHIP AND
IMMIGRATION SERVICES

Respondents

**Stipulation to Hold
Writ of Mandamus in
abeyance pending renewed
fingerprint check by
Respondents**

C-06-3540 JSW

- 1) Petitioner's spouse was granted political asylum on July 1, 2003.
- 2) She filed an application with the Respondents on July 14, 2003 to afford the Petitioner derivative asylee status.
- 3) Nearly three years later, on June 2, 2006, Petitioner filed a writ of mandamus compelling the Respondents to adjudicate the above application.

- 1 4) A Joint Case Management Statement must be filed by
- 2 09/28//06 with an Initial Case Management Conference set
- 3 for 10/05/06.
- 4 5) The Court issued an Order to Show Cause on July 26, 2006.
- 5 The Government has responded to the OSC and the
- 6 Petitioner's response is due on 09/01/06. A hearing is set
- 7 for 09/22/06
- 8 6) In filing the Response, a dispute arose between the
- 9 parties as to whether or not the Petitioner had his
- 10 fingerprints taken on January 31 of this year. The
- 11 background check is an essential predicate to the granting
- 12 of the petition.
- 13 7) The Respondents claim that he did not, the Petitioner
- 14 claims that he did and that he provided a fingerprint
- 15 receipt.
- 16 8) In any event, the Respondents have agreed to provide the
- 17 Petitioner with another appointment to have his prints
- 18 taken.
- 19 9) They aver that this is the final impediment to the
- 20 resolution of the petition filed by Petitioner's wife.
- 21 10) In the interest of judicial economy the parties hereby
- 22 stipulate and agree to hold this case in abeyance pending
- 23 the resolution of the fingerprint check.
- 24
- 25

1 11) We move to vacate the Petitioner's response and the
2 hearing on the Motion scheduled for 09/22/06 as well as
3 the Case Management Conference and Status Report.

4 12) The parties will provide the Court with a status report
5 (90) ninety days from today's date on November 28, 06.

6 13) If the matter is adjudicated prior to that date,
7 Petitioner will voluntarily dismiss the writ.
8

9
10 Dated: _____ 2006

11
12 _____/s/ _____

13 Frank P. Sprouls

Edward Olsen

14 Attorney for Petitioner

US Attorney

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16 September 1, 2006

17 US District Court Judge
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